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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

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SEAN F. McAVOY, CLERK  
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9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 NICHOLAS SEAN CARTER

15 Defendant.

**2:19-CR-183-SMJ**

INDICTMENT

21 U.S.C. § 841(a)(1), (b)(1)(B)(viii)  
Possession with Intent to Distribute 5  
Grams or More of Actual (Pure)  
Methamphetamine (Count 1)

18 U.S.C. §§ 922(g)(1), 924(a)(2)  
Felon in Possession of a Firearm and  
Ammunition  
(Count 2)

21 U.S.C. § 853, 18 U.S.C. § 924, 28  
U.S.C. § 2461  
Criminal Forfeiture

17 The Grand Jury charges:

18 COUNT 1

19 On or about October 5, 2019, in the Eastern District of Washington, the  
20 Defendant, NICHOLAS SEAN CARTER, did knowingly and intentionally possess  
21 with the intent to distribute 5 grams or more of actual (pure) methamphetamine, a  
22 Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii).

23 INDICTMENT – 1

COUNT 2

On or about October 5, 2019, in the Eastern District of Washington, the Defendant, NICHOLAS SEAN CARTER, knowing of his status as a person previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm and ammunition, to wit: a Glock, model 23, .40 caliber pistol, bearing serial number BYR906 and 13 rounds of .40 caliber ammunition, bearing the head stamp BLAZER 40 S&W, which firearm and ammunition had theretofore been transported in interstate and/or foreign commerce, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

Pursuant to 21 U.S.C. § 853 upon conviction of an offense of violation of 21 U.S.C. § 841 set forth in Count 1 in this Indictment, the Defendant, NICHOLAS SEAN CARTER shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;

1 (d) has been substantially diminished in value; or

2 (e) has been commingled with other property which cannot be divided

3 without difficulty;

4 the United States of America shall be entitled to forfeiture of substitute property  
5 pursuant to 21 U.S.C. § 853(p).  
6

7 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction  
8 of an offense in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), as set forth Count 2  
9 of this Indictment, the Defendant, NICHOLAS SEAN CARTER, shall forfeit to  
10 the United States of America, any firearms and ammunition involved or used in the  
11 commission of the offense, including, but not limited to:  
12  
13


14 - a Glock, model 23, .40 caliber pistol, bearing serial number  
15 BYR906; and,

16 - 13 rounds of .40 caliber ammunition bearing the head stamp  
17 BLAZER 40 S&W

18 DATED this 7 day of November 2019.  
19

20 A TRUE BILL  
21  
22

23   
24 William D. Hyslop  
25 United States Attorney

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27 Stephanie Van Marter  
28 Assistant United States Attorney